

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
MEDFORD DIVISION

NASH DURHAM; MARY DURHAM,

1:15-cv-00734-CL

Plaintiffs,

v.

ORDER

THE BANK OF NEW YORK MELLON,
as Trustee for the Certificate
Holders of the CWALT, Inc.,
Alternative Loan Trust 2007-23CB,
Mortgage Pass-Through
Certificates, Series 2007-23CB;
NORTHWEST TRUSTEE SERVICES, INC.,

Defendants.

AIKEN, District Judge:

This matter comes before the Court on Plaintiffs' Motion for a Temporary Restraining Order (TRO) (#2). Plaintiffs seek to enjoin Defendants from proceeding with the non-judicial foreclosure sale of Plaintiffs' residence scheduled for May 11, 2015.

Having reviewed and considered Plaintiffs' motion for TRO and supporting documents, I rule that a temporary restraining order is necessary to prevent the irreparable injury alleged in the

Complaint and shown in the declarations and exhibits supporting Plaintiffs' motion. Accordingly, Plaintiffs' Motion for a Temporary Restraining Order (#2) is GRANTED. From the date and time of this Order, Defendants are hereby enjoined from proceeding with a non-judicial foreclosure sale of Plaintiffs' property for fourteen (14) days. Plaintiffs shall not be required to provide a bond. Plaintiffs shall serve all Defendants with a copy of this Order forthwith and provide proof of service to the Court.

On May 19, 2015, at 2:30 p.m., the parties are directed to appear at a preliminary injunction hearing to determine whether this injunction should continue until final resolution of Plaintiffs' claims. The parties may appear by telephone at the preliminary injunction hearing.

IT IS SO ORDERED.

DATED this 19th day of May, 2015.

A handwritten signature in cursive script, appearing to read "Ann Aiken", is written over a horizontal line.

ANN AIKEN,
U.S. DISTRICT JUDGE